

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

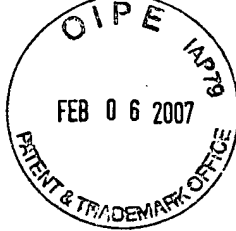
In re Application for:

James KATES

Serial No.: 10/008,268

Filing Date: November 13, 2001

For: DYNAMIC RANGE COMPRESSION
USING DIGITAL FREQUENCY
WARPING



Confirmation No.: 2619

Examiner: Ni, Suhan

Group Art Unit: 2615

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement (IDS) are being brought to the attention of the Office. The items are listed on the attached forms PTO/SB/08A and PTO/SB/08B. The Examiner is requested to make these documents of record.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant(s) is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant(s) as such.

1. Timing of the Information Disclosure Statement:

☐ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) with the new patent application submitted herein (37 CFR § 1.97(a)); or (2) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d) or (3) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (4) before the mailing of a first Office action on the merits; or

02/07/2007 SSITHIB1 00000009 502518 10008268

02 FC:1806 180.00 DA

(5) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☐ However, if the undersigned is in error in this regard, Applicant(s) respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant(s) respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☒ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office Action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☒ Charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ The fee due under 37 CFR § 1.17(p) is being concurrently submitted with the filing of an electronic IDS submission. Thus, no additional fee is required.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant(s) respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. Charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ This IDS is being submitted under 37 CFR § 1.97(i), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee.

STATEMENT UNDER 37 CFR § 1.97(e):

☐ That each item of information contained in the IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or

☐ That no item of information contained in the IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of the IDS.

2. Copies of the Cited Items:

☐ Copies of all of the items listed on the attached forms PTO/SB/08A and PTO/SB/08B are enclosed.

☒ Copies of only the following items listed on the attached forms PTO/SB/08A (Item Nos. *) and PTO/SB/08B (Item Nos. 35-37) are enclosed.

☒ Copies of all items listed on the attached form PTO/SB/08A are not enclosed. See 37 CFR 1.98(a)(2)(i).

☐ Copies of the following documents listed in PTO/SB/08A (Item Nos. *) and PTO/SB/08B (Item Nos. *) are not supplied as they were previously cited by the Office or submitted in Information Disclosure Statements in related applications (Application No. *, filed *) and relied upon in this application for an earlier filing date under 35 USC § 120. See 37 CFR § 1.98(d). The Examiner is requested to make these documents of record.

☐ Copies of the following items listed on the attached forms PTO/SB/08A (Item Nos. *) and PTO/SB/08B (Item Nos. *) were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

3. Conclusion:


Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; and
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached forms PTO/SB/08A and PTO/SB/08B with initials or other appropriate marks. In the unlikely event that the transmittal letter is separated from this document and the U.S. Patent Office determines that an extension and/or other relief is required, Applicant(s) petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 50-2518**, referencing **7002452001**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: 2/2/07

By: 
Gerald Chan
Registration No. 51,541

Bingham McCutchen LLP
3 Embarcadero Center
San Francisco, California 94111
Telephone: (650) 849-4960
Facsimile: (650) 849-4800

Substitute for form 1449A-PTO



INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	10/008,268
Filing Date	November 13, 2001
First Named Inventor	James KATES
Art Unit	2615
Examiner Name	Ni, Suhan
Attorney Docket Number	22645-7085; GN7002452001

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number – Kind Code ² (if known)			
	1	US-4,388,493	06-14-1983	Maisel	
	2	US-4,488,012	12-11-1984	Matsuda et al.	
	3	US-4,491,698	01-01-1985	Larson et al.	
	4	US-4,536,623	08-20-1985	Larson	
	5	US-4,688,002	08-18-1987	Wingate	
	6	US-4,703,510	10-27-1987	Larson	
	7	US-5,091,958	02-25-1992	Sakamoto et al.	
	8	US-5,617,480	04-01-1997	Ballard et al.	
	9	US-5,659,619	08-19-1997	Abel	
	10	US-5,659,622	08-19-1997	Ashley	
	11	US-5,698,807	12-16-1997	Massie et al.	
	12	US-5,727,074	03-10-1998	Hildebrand	
	13	US-5,781,638	07-14-1998	Hosaka et al.	
	14	US-5,832,096	11-03-1998	Hall	
	15	US-6,072,877	06-06-2000	Abel	
	16	US-6,330,486 B1	12-11-2001	Padula	
	17	US-6,522,756 B1	02-18-2003	Maisano et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ – Number ⁴ – Kind Code ⁵ (if known)				

Examiner's
SignatureDate
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2.0 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A-PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 3

Complete if Known

Application Number	10/008,268
Filing Date	November 13, 2001
First Named Inventor	James KATES
Art Unit	2615
Examiner Name	Ni, Suhan
Attorney Docket Number	22645-7085; GN7002452001

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number – Kind Code ² (if known)	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	18	US-6,535,617 B1	03-18-2003	Hannigan et al.	
	19	US-6,574,346 B1	06-03-2003	Tanaka	
	20	US-6,628,800 B2	09-30-2003	Tajima	
	21	US-6,664,460 B1	12-16-2003	Pennock et al.	
	22	US-6,694,033 B1	02-17-2004	Rimmell et al.	
	23	US-6,724,910 B1	04-20-2004	Heed et al.	
	24	US-6,738,486 B2	05-18-2004	Kaulberg	
	25	US-6,845,165 B1	01-18-2005	Motohashi et al.	
	26	US-6,870,937 B1	03-22-2005	Hirosaki et al.	
	27	US-6,873,708 B1	03-29-2005	Levy	
	28	US-6,898,293 B2	05-24-2005	Kaulberg	
	29	US-6,980,665 B2	12-27-2005	Kates	
	30	US-6,996,244 B1	02-07-2006	Slaney et al.	
	31	US-6,999,541 B1	02-14-2006	Hui	
	32	US-7,026,539 B2	04-11-2006	Pennock et al.	
	33	US-2002/0057814 A1	05-16-2002	Kaulberg	
	34	US-2004/0165730 A1	08-26-2004	Crockett	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ – Number ⁴ – Kind Code ⁵ (if known)	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶

Examiner's
SignatureDate
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2.0 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<p>Substitute for form 1449B-PTO</p> <p style="text-align: center; font-size: 1.2em; font-weight: bold;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p style="text-align: center; font-style: italic;">(use as many sheets as necessary)</p>	<p style="text-align: center; font-weight: bold;">Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">Application Number</td> <td style="width: 50%; padding: 5px;">10/008,268</td> </tr> <tr> <td style="padding: 5px;">Filing Date</td> <td style="padding: 5px;">November 13, 2001</td> </tr> <tr> <td style="padding: 5px;">First Named Inventor</td> <td style="padding: 5px;">James KATES</td> </tr> <tr> <td style="padding: 5px;">Art Unit</td> <td style="padding: 5px;">2615</td> </tr> <tr> <td style="padding: 5px;">Examiner Name</td> <td style="padding: 5px;">Ni, Suhan</td> </tr> <tr> <td style="padding: 5px;">Attorney Docket Number</td> <td style="padding: 5px;">22645-7085; GN7002452001</td> </tr> </table>	Application Number	10/008,268	Filing Date	November 13, 2001	First Named Inventor	James KATES	Art Unit	2615	Examiner Name	Ni, Suhan	Attorney Docket Number	22645-7085; GN7002452001
Application Number	10/008,268												
Filing Date	November 13, 2001												
First Named Inventor	James KATES												
Art Unit	2615												
Examiner Name	Ni, Suhan												
Attorney Docket Number	22645-7085; GN7002452001												

[illegible]

Examiner's Signature		Date Considered	
-------------------------	--	--------------------	--

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.